

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 11-CV-13853
HON. GEORGE CARAM STEEH

RHONDA WASHINGTON,

Defendant.

_____/

ORDER GRANTING PLAINTIFF'S MOTION (#3) FOR ALTERNATIVE SERVICE
UPON DEFENDANT RHONDA WASHINGTON.

Plaintiff moves for alternate service upon defendant Rhonda Washington. Plaintiff indicates that service of process upon defendant Washington cannot reasonably be made as provided in Federal Rule of Civil Procedure 5 and Michigan Court Rule 2.105 as shown in the affidavit of evasion prepared by process server, Walter Spears. See Ex. A. Defendant's last known address, where Spears has attempted to serve process upon defendant on five separate occasions, is the current home address on file with the United States Post Office as set forth in the attached U.S. Postal Verification. See Ex. C. Further, service by certified mail, return receipt requested to Washington's last known address was returned "unclaimed."

Service upon an individual situated within any federal judicial district may be effected in this district pursuant to the law of Michigan. Fed. R. Civ. P. 4(e)(1). M.C.R. 2.106 provides for service of process by publication. Pursuant to M.C.R. 2.106(C),

defendant Washington is hereby notified:

This action is pending in the United States District Court for the Eastern District of Michigan, in the United States Courthouse located at 231 West Lafayette, Detroit Michigan, 48226;

The plaintiff is the United States of America;

The defendant is Rhonda Washington;

Plaintiff is suing the defendant for outstanding student loan debt totaling \$7,138.06 as of July 5, 2011;

Upon receiving notice of this action, defendant Washington shall answer or otherwise defend in this action as required under the Federal Rules of Civil Procedure and other applicable law;

Defendant Washington's failure to answer or otherwise defend in this lawsuit may lead to entry of Washington's default, and default judgment.

See M.C.R. 2.106(C). Defendant Washington shall be notified of this action by publication as provided for in M.C.R. 2.106(D). Plaintiff shall send a copy of this order by first class regular mail and by registered or certified mail, return receipt requested, to defendant Washington at her Detroit, Michigan home address notwithstanding that an earlier mailing was returned "unclaimed." M.C.R. 2.106(D)(2). Plaintiff shall also publish this notice once each week for three consecutive weeks in a newspaper in the county in which Washington's residence is located. M.C.R. 2.106(D)(1).

As set forth above, plaintiff's motion for alternate service is hereby GRANTED.

SO ORDERED.

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

Dated: November 29, 2011

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record on November 29, 2011, by electronic and/or ordinary mail and also to Rhonda Washington at 2418 Edison St., Detroit, MI 48206.

s/Josephine Chaffee
Secretary/Deputy Clerk